

PATENT Customer No. 22,852 Attorney Docket No. 05725.1286-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of:   | )                                |
|---|----------------------------------|
| Michel Philippe et al.  | )                                |
| Application No.: 10/821,914   | ) Group Art Unit: 1615           |
| Filed: April 12, 2004   | )<br>) Examiner: Unassigned<br>) |
| For: N-α- AND N-ε-LYSINE AND ORNITHINE COMPOUNDS COMPRISING A THIOL FUNCTION AND COSMETIC USE THEREOF | ,<br>)<br>)<br>)                 |

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the undersigned's knowledge, this Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents (excluding the cited U.S. Patent Applications and/or U.S. Patent Publications), are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

With respect to the non-English language documents, Applicants submit the following remarks:

- 1. <u>JP 2001/328920</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 2. <u>JP 2002/293719</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

## **Attorney Docket No.** 05725.1286-00000 **Application No.** 10/821,914

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

By:

Thalia V. Warnement Reg. No. 39,064

Date: September 23, 2004



## INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)

| Atty. Docket No. | 05725.1286-00000       | Application No. 10/821,914 |
|------------------|------------------------|----------------------------|
| Applicants       | Michel PHILIPPE et al. |                            |
| Filing Date      | April 12, 2004         | Group: 1615                |

| U.S. PATENT DOCUMENTS |                    |      |      |       |              |                            |
|-----------------------|--------------------|------|------|-------|--------------|----------------------------|
| Examiner<br>Initial*  | Document<br>Number | Date | Name | Class | Sub<br>Class | Filing Date If Appropriate |
|                       | -                  |      |      |       | _            |                            |
|                       |                    |      |      |       |              |                            |
|                       |                    |      |      |       |              |                            |
|                       |                    |      |      |       |              |                            |

| FOREIGN PATENT DOCUMENTS |   |                    |               |         |       |              |                          |
|--------------------------|---|--------------------|---------------|---------|-------|--------------|--------------------------|
|                          |   | Document<br>Number | Date          | Country | Class | Sub<br>Class | Translation<br>Yes or No |
|                          | 1 | JP 2001/328920     | Nov. 27, 2001 | Japan   |       |              | Abstract                 |
|                          | 2 | JP 2002/293719     | Oct. 9, 2002  | Japan   |       |              | Abstract                 |
|                          |   |                    |               |         |       |              |                          |
|                          |   |                    |               |         |       |              |                          |
|                          |   |                    |               |         |       |              |                          |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |   |   |  |  |
|--|---|---|--|--|
|  | 3 | English language Derwent Abstract of JP 2001/328920, Nov. 27, 2001. |  |  |
|  | 4 | English language Derwent Abstract of JP 2002/293719, Oct. 9, 2002.  |  |  |
|  |   |   |  |  |
|  | † |   |  |  |

| Examiner    | xaminer Date Considered  |   |  |  |
|-------------|--|---|--|--|
| *Examiner:  | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |  |  |
| Form PTO 14 | 149  | Patent and Trademark Office - U.S. Department of Commerce |  |  |